

6: 30 P.M. Public Hearing on Charter Revision

The Rocky Hill Town Council held a public hearing on Monday, July 20, 2015 in the Council Chambers of Town Hall. Mayor Henry Vasel called the public hearing to order at 6:30 p.m. Those in attendance: Deputy Mayor Nadine Bell, Councilor Meg Casasanta, Councilor Guy Drapeau, Councilor Joe Kochanek, Councilor Tim Moriarty and Councilor Frank Szeps. Also present were Town Manager Guy Scaife and Finance Director John Mehr.

Those absent: Councilor Bill MacDonald and Councilor Cathy Vargas.

Mayor Vasel asked Town Manager Scaife to open this public hearing. Town Manager Scaife said there will hopefully be some feedback from the public. The Charter Revision Commission has really worked hard. He thinks they did an excellent job in getting feedback from the Town Council, the Staff and the public. There is a tight deadline for them to stay on target in order for them to have the Charter recommendations, if the Town Council supports these, in the newspaper on September 3, 2015 and posted in the Town Clerk's office. The Town Council would need to take action this evening or they could call a special meeting. They will still be in conformance with the Regulations and Rules with regards to the Charter revision as long as action is taken within the next fifteen days. This will go back to the Charter Revision Commission once the Town Council makes a recommendation. The Charter Revision Commission will have one more of their public meetings where they will take an official vote to have this draft document moved to an approved one. This will then come back to the Town Council for them to take action on it at their August 17, 2015 meeting.

Mayor Vasel asked if there was anyone from the public who wished to speak. Phil Benoit, 12 Glastonbury Avenue, R.H., said he is concerned about Section 809 (Transfers of Appropriations) in the Charter and definitely against it. He thinks the Charter Revision Commission had thirteen meetings. They had taken the Charters from Berlin, Cromwell, Glastonbury, Newington, and Wethersfield to compare those. With regards to this section, Berlin and Wethersfield have three months and Newington have five months. Rocky Hill wants seven months. He thinks this is an injustice to the people who go out of their way to come up with a decent budget and this gives too much power to the Town Manager. He went through this a few times with Town Manager Scaife and he respects his position but he doesn't agree with a lot of his issues. Phil Benoit gave an example of how Berlin transfers money from department to department only for three months and then the Town Manager and Town Council work together coherently to transfer funds from one department to another one. He told the Town Council that he respects them. He thinks they should have this responsibility and privilege with regards to being able to take money out of one fund and having it put in another fund of a different department so that their Town Manager isn't given total control. If this Charter goes the way it is now then Phil Benoit mentioned again that he is totally against it.

Phil Benoit referred to the last line in Section 303B. He believes the voters in this Town want the Republicans and the Democrats on the Town Council to work together to make everybody happy. This part of Section 303B won't help matters at all and he thinks this should be stricken.

Phil Benoit recommended to the Town Council that they look at these things again. He then mentioned how Cromwell and Wethersfield have a mandatory review for their Charter. He thinks that the Town Council and the Electors of Rocky Hill should look at the Charter at least every ten years so there should be something in their Charter about this.

Phil Benoit is against a lot of the issues but he said the Charter Revision Commission has done a great job and he respects them. He made up his mind when he got on the Charter Revision Commission that his job wasn't to start trouble but to do the job for the taxpayers and he feels he did that. He also feels that he has a right to express his opinion so that is what he is doing now. (He then mentioned how he is going to be paying his taxes next week and he asked Mayor Vasel if he should deduct \$500 from his taxes because he had promised senior citizens that. Mayor Vasel told him to come back after this evening's meeting and he told him that this may be possible if he fills out the appropriate paperwork after the vote.)

Mayor Vasel asked if anyone else from the public wished to speak and no one did.

Councilor Szeps made a motion to close the Public Hearing on the Charter Revision at 6:40 p.m. The motion was seconded by Deputy Mayor Bell and adopted unanimously by those present.

6: 45 P.M. Public Hearing on Proposed Ordinance Change to All Night Parking Ordinance – Article IV §230-14 and §230-16 (b)

The Rocky Hill Town Council held a public hearing on Monday, July 20, 2015 in the Council Chambers of Town Hall. Mayor Henry Vasel called the public hearing to order at 6:45 p.m. Those in attendance: Deputy Mayor Nadine Bell, Councilor Meg Casasanta, Councilor Guy Drapeau, Councilor Joe Kochanek, Councilor Tim Moriarty and Councilor Frank Szeps. Also present were Town Manager Guy Scaife and Finance Director John Mehr.

Those absent: Councilor Bill MacDonald and Councilor Cathy Vargas.

Mayor Vasel asked Town Manager Scaife if he wanted him to have the Chiefs speak about this and he said please. Councilor Moriarty asked if the Town Council would be able to ask questions of the Chiefs during the Town Council meeting after this because they can't ask questions during a public hearing and Mayor Vasel said sure.

Mayor Vasel referred to how the All Night Parking Ordinance states 2:00 a.m. to 5:00 a.m. He told Chief Garrahy that there had been a question at the last Town Council meeting as to how this affects Public Safety and the Chiefs so he asked him to comment as to how this would affect him. Chief Garrahy said he supports repealing this. The RHFD has no enforcement capabilities but they are concerned with four issues (no parking within ten feet of a fire hydrant; no parking

within twenty-five feet of a stop sign; no parking within twenty-four feet of an intersection; and parking no more than twelve inches from a curb), which would still be in effect with the potential repealing of this. He is referring to public streets and he is confident that the RHFD can get in on those.

Chief Custer said this Ordinance has been on the books since about the 1960's and he could never understand what the public safety purpose for it is. He learned when he was talking with his public safety colleagues at a Staff meeting recently that they had the same question. He feels very confident that they have several other mechanisms in place if this was to be repealed that would allow them to address any vehicles that are parked on the public roadways that are impeding traffic in any way, etc. There are other Ordinances and a State Statute they can rely on to ticket and also tow vehicles. There is a State Statute which allows them to remove abandoned vehicles within twenty-four hours and immediately if they are in a hazardous position. There is also a specific Town Ordinance with regards to parking bans. The All Night Parking Ordinance generates a lot of hard feelings with citizens when they get ticketed. This only restricts parking from 2:00 a.m. to 5:00 a.m. so he questioned what makes parking a hazard at 2:00 a.m. but not at 12:00 a.m., etc. He doesn't think this is effective the way it is written. They also have the ability to implement restrictive signage if they have problem areas or hot spots that they can't address. He thinks they will be fine if this was to be repealed.

Mayor Vasel asked if anyone else from the public wished to speak. Christa Mariner, 58 Farms Village Road, R.H., read a letter aloud and in full. (Please see the First Attachment.)

Mayor Vasel asked if anyone else wished to speak and no one else did.

Councilor Szeps made a motion to close the Public Hearing on the Proposed Ordinance Change to the All Night Parking Ordinance – Article IV §230-14 and §230-16 (b) at 6:56 p.m. The motion was seconded by Councilor Moriarty and adopted unanimously by those present.

The Rocky Hill Town Council held its regularly scheduled meeting on Monday, July 20, 2015 in the Council Chambers of Town Hall. Mayor Henry Vasel called the meeting to order at 7:00 p.m. Those in attendance: Deputy Mayor Nadine Bell, Councilor Meg Casasanta, Councilor Guy Drapeau, Councilor Joe Kochanek, Councilor Tim Moriarty and Councilor Frank Szeps. Also present: Town Manager Guy Scaife and Finance Director John Mehr.

Those absent: Councilor Bill MacDonald and Councilor Cathy Vargas.

The Pledge of Allegiance was recited.

Public Comment

Angelo D'Ambrosio from Orchard Street, R.H. said he had a complaint about WalMart and he has exhausted every avenue that he could think of so that is why he was coming to the Town Council for help. This is with regards to tractor trailers, which aren't WalMart ones. He has talked to Town Manager Scaife, Mr. Murphy (which ended up being Frank Kelley (ZEO) per his

neighbor Vera Gonxhe who spoke later during Public Comment), and Lieutenant Catania. Angelo D'Ambrosio said he had talked first to Kim Ricci (Town Planner/ZEO/Special Constable) and he mentioned that she is the only one who did a little bit for him and his neighbors because she had taken care of the excess storage trailers that were there, as well as the dumping of trash onto the adjoining property. Kim Ricci then referred him to Frank Kelley with regards to the parking of the trailers because they are using that as a truck stop. Angelo D'Ambrosio told Frank Kelley that there must be some Statute, etc. with regards to the drivers of these sleeping in them. Frank Kelley had told him that he would get back to him, which he did in about a week, and he said he had spoken to the RHPD that said they would have the Police make rounds there when there is a complaint. Angelo D'Ambrosio said he and his neighbors have been complaining for two years and there are still no results. He met with Town Manager Scaife on February 13, 2015, but he said that he was misinformed because the truck drivers had said it was stated on a website that they could park there. Town Manager Scaife had that checked out but this wasn't on a website. He then called Angelo D'Ambrosio back in a week and said it doesn't do much good to give these drivers tickets because they are from out-of-Town. Angelo D'Ambrosio said they keep calling the Dispatchers meanwhile and sometimes the neighbors see Police Officers driving through there. There were six tractor trailers running their engines all night one time and then he was told that there had been twelve of them another time. He is on oxygen at night because he has COPD. He said Town Manager Scaife told him that he had talked to the RHPD and he would have two Lieutenants take care of this problem but he said he is still waiting for them. Angelo D'Ambrosio called Lieutenant Catania who told him that that is private property so he would talk to the Attorney and get back to him in two weeks, but he never did. Angelo D'Ambrosio said he went to the Cora J. Belden Library to check the blue book that has all of the Statutes in it but he couldn't find anything so he talked to Mike Murphy from there. Mike Murphy called him back in less than a week after he found a Regulation of Connecticut State Agencies, which is dated April 1, 2004. There is one of these offices in Enfield and Angelo D'Ambrosio said he called that but was told this is not to be reviewed by the public. He then referred to a Statute that Mike Murphy had found and part of this states that "diminishes the health, safety, enjoyment of people using a building or structure located beyond the property boundary". He then read a little more of what was stated.

Mayor Vasel told Angelo D'Ambrosio that he came to the right place and he asked Town Manager Scaife to get an update for the Town Council's next meeting as to what is going on there. Town Manager Scaife said he could give one now and mentioned that Chief Custer was in the audience. Town Manager Scaife said the issue with the garbage was corrected. The WalMart property is private. WalMart management volunteered to limit trucks from parking there and they have had vehicles towed by a towing company they have entered into a contract with. He has never seen more than one tractor trailer at a time the times he has been there. The Town has no Police authority on private property to make these truck drivers leave. He also explained that sometimes WalMart trucks are unloading at 10:00 p.m. He disagreed with Angelo D'Ambrosio with regards to the amount of communication because he knows that he personally followed up three times and he probably was on site five times to observe things. Town Manager Scaife said that Lieutenant Klett has directed patrols to go there. One of the shifts is to go there before midnight and one is to go there after. This is assuming that there isn't something urgent that interferes with this. He asked Chief Custer if he had something additionally to say about the legality of them being able to patrol there.

Councilor Moriarty said there might be a DEEP (Department of Energy and Environmental Protection) Statute but a tractor trailer can't idle for more than fifteen minutes in the State of Connecticut. Mayor Vassel thinks that is unless it is for the purpose of heating or air conditioning, etc. (for perishable items).

Chief Custer said the RHPD has been aggressively going out to WalMart during the evening and midnight shifts to look for tractor trailers that are parked anywhere in that plaza there and idling. They are generally dealing with tractor trailers that are pulling up to make deliveries and they have to wait sometimes. The drivers of the tractor trailers are asked to move along if they are there for any other reason. The RHPD hasn't been heavy in regards to making arrests or writing tickets but the Police Officers simply have been knocking on the tractor trailer doors to make them aware that they don't want them in the plaza. WalMart has sent a letter stating they will work with the RHPD to keep the tractor trailers out of there. Chief Custer said they are also in the process of trying to get some signage posted there. Private property is a factor because there are limitations as to what the RHPD can do. He understands that WalMart has a standing policy with most of their stores where tractor trailers can park but they have agreed to waive that in Rocky Hill.

Mayor Vassel asked Town Manager Scaife to explore whether the tractor trailers are parked in passenger vehicle spots. Town Manager Scaife said these are parking behind where the vehicles go for the dock area. Mayor Vassel said there would still be passenger vehicle spots all around the area so these tractor trailers would be overburdening the approvals if these are longer than the spots. He also asked if these tractor trailers are there overnight or if they need to stack in order to unload or load, if they can ask WalMart to let these sit on the front side next to the highway because that should block a lot of the noise. Town Manager Scaife said the idea about these tractor trailers parking in the front has been suggested but the landlord for the other space won't allow this. They can certainly pursue this again. Mayor Vassel told Town Manager Scaife that he can perhaps strongly suggest that.

Doug Smith said he lives next door to Angelo D'Ambrosio and his property borders the majority of the WalMart property back there. Doug Smith gets the fumes, the smell from whatever the homeless guy (who has been there for years) is doing there and he has witnessed some prostitution going on back there. There are also drugs there. As far as he knows, there is a Connecticut State Ordinance that overrules any private property. When the RHPD Dispatch is called, they say this is a WalMart issue. The whole area they have been discussing is posted as being a fire zone and there is to be no parking there at all but that isn't getting enforced. His issue is that there are bad smells going on in the backyard. Mayor Vassel asked Doug Smith to give his phone number on his way out and perhaps he can show Chief Custer where his issues are. Doug Smith said he would draw this out.

Vera Gonxhe has more of a problem than Angelo D'Ambrosio and Doug Smith mentioned because she is right in the middle. Vera Gonxhe said she started out complaining to Kim Ricci before Christmas and she said she was really good. Vera Gonxhe said that Kim Ricci then told her to go to Frank Kelley (at this time she said she that Angelo D'Ambrosio meant Frank Kelley instead of Mr. Murphy when he had been speaking before) and he promised that he would fix what she had told him. Vera Gonxhe said she goes in the middle of the night to knock on the

doors of the tractor trailers but she told everyone that they know what kind of people most of them are and said she was sorry to say that. She has been threatened by them and even from the management at WalMart. She told Frank Kelley that she knew there would be a solution overnight if something happens to her but that would be too late. Vera Gonxhe said that Frank Kelley said he was going to go to WalMart to fix the problem once and for all but he never called her back. Vera Gonxhe said that Angelo D'Ambrosio scheduled an appointment with Town Manager Scaife so they all met together. Vera Gonxhe said that Town Manager Scaife promised that he would fix this problem and he told her to call the RHPD every time she sees a tractor trailer instead of going out to them. Vera Gonxhe said they do that. The RHPD takes care of them sometimes and sometimes they don't. She called the RHPD one day. The Police came to her house and gave her husband the number for WalMart's Manager because that is WalMart's property. She disagreed with Chief Custer about how the Police go there in the middle of the night, etc. Vera Gonxhe said she went over to a tractor trailer on Wednesday night and knocked on the door. She said "an animal" came out and told her that she didn't know who she was messing with. She called the RHPD at 8:30 a.m. that Thursday. The homeless man asked the driver of a tractor trailer if he was threatening Vera Gonxhe. Vera Gonxhe then went to see the Manager at WalMart who told her that he didn't want to see her there anymore and he would charge her with trespassing if he saw her there again. When they call the Police, she is told something differently from Doug Smith. Vera Gonxhe said she has lived here for more than ten years and the last thing she can do is put her house on the market. They aren't safe there. Mayor Vasel told her that is the time to call the RHPD. Vera Gonxhe said she does. Mayor Vasel said he is going to follow up with Town Manager Scaife who has been taking notes and he told Vera Gonxhe that he will be calling them about a type of plan being put together and to see if they get some resolution.

Councilor Kochanek said that he feels sorry for them and he told Mayor Vasel that he thinks they reached a point where private property doesn't "hold water anymore". Councilor Kochanek said that is a hostile environment to the people who live there. He referred to the Noise Ordinance and said maybe they can enforce that. Another violation of public health is the diesel fuel being pushed over to those houses. He referred to how Vera Gonxhe has been threatened by the people operating the tractor trailers and he said they wouldn't tolerate that. Councilor Kochanek said it is time to for someone to take a hard approach at looking at this and to tell the people to move the tractor trailers. He mentioned putting jersey barriers there so that the tractor trailers can't park anywhere near the houses. It is absolutely insane for Vera Gonxhe, Angelo D'Ambrosio and Doug Smith to have to live in fear. Councilor Kochanek said the Town has a responsibility to address this, especially the threatening. Mayor Vasel said Town Manager Scaife will be working on a solution and then they have to enforce it. Mayor Vasel said when Vera Gonxhe, Doug Smith and Angelo D'Ambrosio call Dispatch that Dispatch will treat them much differently than they had in the past and will take what they are saying seriously. Councilor Kochanek said Vera Gonxhe, as well as Doug Smith and Angelo D'Ambrosio, have done all of the things that they have been told to do and they are still living with this mess. Mayor Vasel agreed and said it has been far too long. Councilor Moriarty thinks they have to contact the Corporate Office for WalMart because they are going to get nowhere with WalMart's Manager. Mayor Vasel is going to have Town Manager Scaife do research to find out where the break in communication is and Mayor Vasel will call Vera Gonxhe, Doug Smith and Angelo D'Ambrosio personally in the next few days after he touches base with Town Manager Scaife.

Christa Mariner, 58 Farms Village Road, R.H., gave her sympathy to the residents who had just spoken and she told them that she knows what they are going through because she lives near Burris. Christa Mariner understood that WalMart leases the property and doesn't own it so she asked if the owner of Town Line Plaza could be contacted by the Town instead. She then questioned whether these tractor trailers are WalMart ones or Burris bound ones that are waiting there for their appointment time at Burris because those stack all over Town.

George Corneliusson, 69 Dividend Road, R.H., said he is a teamster retiree and he has had his license for the past forty-seven years. He has delivered to WalMart and the tractor trailers that are being talked about this evening aren't WalMart ones. WalMart has a standing policy in the United States where their lots are open for campers and tractor trailers. He doubts if any of the tractor trailers that are parking there now are delivering at that time of the evening. He explained how most of WalMart's goods get delivered from a distribution center.

George Corneliusson said the reason he was present this evening was with regards to safety and health. His next door neighbor has evergreen trees, which are forty to fifty feet high, and they border most of his property. He was out near his garden a few weeks ago and he saw a guy with a hose in his neighbor's backyard who was spraying trees. George Corneliusson said his nostrils and throat started burning. He saw a truck in his neighbor's yard that had no name on it but only an "8". He couldn't get an answer from the DEEP so he got in touch with Senator Doyle's office. George Corneliusson was given a number for someone from DEEP and he called them to file a complaint. According to the law, there is supposed to be a yellow sticker on a lawn, etc. if it is being sprayed. He thought this was TruGreen that was spraying because he had previously seen them spraying his neighbor's lawn. He got a card with a note on it, dated July 13, 2015, in his mailbox the other day from a gentleman from TruGreen on Old Forge Road, R.H. The note stated for George Corneliusson to call with his name and phone number if he wants a courtesy call for when TruGreen will be spraying in his neighbor's yard. He was informed by DEEP that people can be put on a "Do Call List". He called the gentleman from TruGreen who was arrogant to him and told him that he would like a call, as well as he wanted to know what kind of chemical he had ingested. The gentleman told him that he would e-mail him the information about the chemical but he has not received that yet and feels he won't. George Corneliusson said if there is anything on the books, he isn't seeing DEEP enforcing that. He told the Town Council that they and all of their loved ones might have this same situation. Mayor Vasel mentioned that if anything like that is ever ingested or if someone has acute breathing symptoms, etc. that they should dial 911. George Corneliusson said he had ingested a small amount and he knew what to do because of the HazMat training he had.

Appointments/Resignations

Majority Leader Bell and Minority Leader Moriarty had no appointments or resignations.

Approval of Minutes

A. Town Council Meeting – 6/15/15

Councilor Szeps made a motion to approve the Minutes of the June 15, 2015 meeting of the Town Council. The motion was seconded by Deputy Mayor Bell and adopted unanimously by those present.

Subcommittee Reports

A. Finance

Councilor Drapeau said he would be giving this update seeing Councilor Vargas was absent this evening. Councilor Drapeau said the Finance Committee met on July 15, 2015 and they approved four actionable items that are on this evening's Consent Agenda. They also had talked about property tax collections. He gave more details about those. The Tax Collector claimed that this is consistent with past history. The Finance Committee also had an auditor's report from Blum Shapiro and they received the statement that is required with regards to those who are charged with governance. This signifies that the auditing field work will begin soon.

B. Public Safety

Deputy Mayor Bell said the Public Safety Committee held a meeting at 6:00 p.m. this evening. The All Night Parking Ordinance had been discussed and the Committee felt that parking issues, whether they are at 3:00 a.m. or 10:00 p.m., need to be addressed by the appropriate Ordinances that are on the books. Background material had also been submitted from the Fire Chief, Police Chief and Town Manager so the Committee is recommending to the Town Council that the update to the Ordinance be passed. She said though that they certainly understand the valid concerns that were brought forward during the public hearing this evening and through other comments. The Committee also talked about the RHFD, RHPD and RHVAA reports. She gave some information out about those. In July and August, there is going to be an emphasis on distracted driving but she told everyone that they should adhere to distracted driving issues every day.

C. Government Operations Committee

Deputy Mayor Bell said the Government Operations Committee had a meeting this evening at 5:00 p.m. They had project updates for the Renovate as New project at Rocky Hill High School (RHHS). It looks like school will start as expected. There were some concerns over the number and amount of Change Orders. These tend to be for things that can't be anticipated and this is being watched carefully. The West Hill School sprinkler project is closed out and they are \$16,000 to the good on that. A tremendous number of projects are being done over the summer in the schools (Stevens School Sprinkler and Elevator Project; Griswold Middle School Boiler Replacement Project; West Hill School and Stevens School Security Project; and West Hill School Bathroom Upgrades). These projects are all moving along nicely. The turf replacement at McVicar Field is being done by a STEAP (Small Town Economic Assistance Program) Grant and it looks like this will be turned over to RHHS in August. The handicap accessible ball field at Elm Ridge Park is a little behind schedule due to snow this past year and it is being anticipated that there will be a meeting on August 17, 2015 with the Architect. The surface for the ball field will be selected.

D. Land Acquisition & Farmland Preservation

Councilor Szeps said there wasn't an official Open Space Land Acquisition & Farmland Preservation Subcommittee meeting. At the last Town Council's meeting, he had reported that they are actively pursuing their goal of purchasing development rights. He couldn't publically mention names because of the sensitivity of this but he believes they took the first big step in working with the Town and the State to accomplish their goal.

E. Senior Affairs Committee

Councilor Szeps spoke in place of Councilor Vargas and he said the last meeting of the Senior Affairs Committee had been cancelled.

F. Liaison to State Representative and State Senator

Councilor Szeps is hoping to have State Representative Guerrera and State Senator Doyle present at the next Town Council meeting and he will notify the Town Council if this isn't going to happen.

Consent Agenda

Councilor Szeps made a motion to approve the Consent Agenda. The motion was seconded by Councilor Moriarty and adopted unanimously by those present.

A. Award of Bid – Traffic Guidelines – Line Striping

BE IT RESOLVED that the award of bid for traffic guidelines be awarded to Atlantic Pavement Marking, Inc., Prospect, CT at a bid price of \$32,549.73. The Town participated in the Capital Region Council of Governments (CRCOG) Capital Region Purchasing Council traffic guidelines bid and this pricing is valid for the 2015 calendar year. This service will be charged to the Engineering Department – budget line 01-300-401-5326 for Fees – Markings in the 2015-2016 budget year.

B. Refund of Overpayment of Property Taxes due to Stipulated Judgement

BE IT RESOLVED THAT a tax refund in the following amount be and is hereby authorized for the following taxpayers:

<u>List Number</u>	<u>Name</u>	<u>Amount</u>
2013-01-16234	Elona Sinani 31 Birch Rd Rocky Hill, CT 06067	\$1,838.88

C. Approval – Increase the Authorization Limits to Refund the Overpayment of Property Tax

WHEREAS, by Town Council resolution dated December 6, 1999, the Town Manager or the Finance Director were authorized to act upon applications for tax abatements and tax refunds in an amount not to exceed fifteen hundred (\$1,500) dollars.

NOW, THEREFORE BE IT RESOLVED that the Rocky Hill Town Council adopts the following authorization guidelines to act upon the application for tax abatements and for tax refunds in the following amounts:

Up to \$10,000 – the Town Manager and the Finance Director;

Greater Than \$10,000 – the Finance Committee to the Town Council.

D. Board of Education Return of Funds to the General Fund and Reserve for Capital and Nonrecurring Expenditures Fund: School Improvements

WHEREAS, the Town of Rocky Hill Board of Education (BOE) Superintendent of Schools has notified the Town of Rocky Hill's Town Manager that the BOE will be returning to the Town \$121,926.74 of unexpended – unencumbered funds from the budget year ending June 30, 2015.

BE IT RESOLVED THAT the BOE request that the Town Council approves \$121,926.74 of the funds being returned by the BOE be applied towards improvements to school facilities as recommended by the BOE.

BE IT RESOLVED THAT the Town Manager is authorized to expend \$121,926.74 of the funds that is being returned by the BOE to the General Fund for the budget year ending June 30, 2015, toward the costs of improvements to school facilities.

THEREFORE, BE IT RESOLVED THAT being notified by the BOE that the amount of funds being returned by the BOE to the General Fund for the budget year ending June 30, 2015 is \$121,926.74. The Finance Director is authorized to transfer \$121,926.74 from the General Fund to the Reserve for Capital and Nonrecurring Expenditure Fund to a designated project line called School Improvements – West Hill School Restrooms Upgrades. This transfer would be effective prior to June 30, 2015.

Old Business

A. Discussion & Possible Action – Elderly Tax Relief Program Based on Financial Need

Councilor Szeps made a motion to have a Public Hearing for the adoption of the Ordinance for the Elderly Tax Relief Program Based on Financial Need. The motion was seconded by Councilor Drapeau.

Stuart Topliff (Director of Property and Record Services) said he was present this evening to present an overview of the Rocky Hill tax relief programs they have currently and then a proposed tax relief program. (Please see the Second Attachment.) Councilor Moriarty

confirmed that it doesn't matter what the size of someone's house is. Stuart Topliff said correct. The only qualification is income and age. Councilor Moriarty confirmed that this is what people show for income on their tax statement. Stuart Topliff said they take someone's tax return if they have one or their Social Security 1099. Councilor Casasanta asked if where someone resides is taken into consideration. Stuart Topliff said someone has to own the property or have life use. They also have to be resident of that property and live there.

For the proposed tax relief programs, Councilor Drapeau asked if it is adjusted gross income or gross income. Stuart Topliff said it will be the gross income and people on these programs don't pay income tax. Mayor Vasel asked if it is possible that someone could qualify for all three programs. Stuart Topliff said if someone qualifies for the Homeowners Tax Relief Program then they will be notified about the Tax Freeze. People will also be notified of the proposed program as well if the Ordinance passes. Councilor Drapeau asked if social security counts as income. Stuart Topliff said it does. Councilor Casasanta asked what the follow-up is in terms of the tax credits to make sure the people are still qualifying under those same guidelines. Stuart Topliff said people apply every two years for the Homeowners Tax Relief Program and their income has to be verified. Councilor Kochanek asked how this ties into what Wethersfield does when they file every year to get a tax reduction. Stuart Topliff wasn't sure about the Wethersfield program. Councilor Kochanek said Wethersfield's residents' taxes are adjusted. Stuart Topliff said the Homeowners Tax Relief Program is a State program and the tax freeze is a local option. Newington does something a little different. Councilor Kochanek asked Stuart Topliff what Newington does compared to what he wants to do. Stuart Topliff believes that Newington has a set amount they distribute throughout the Town. Each Town has the capability to do different things. Councilor Kochanek confirmed that this is a Town program where residents' taxes are actually being reduced. Stuart Topliff said that is correct and it is a local option. Councilor Kochanek confirmed that Rocky Hill's present program is where the taxes get reduced through the State. Stuart Topliff said the State reimburses the Town 100% for the Homeowners Tax Relief Program. Councilor Kochanek asked if the Town eventually gets the money for the Tax Freeze and Stuart Topliff said yes. Councilor Kochanek confirmed for the proposed one that the Town will be appropriating the money and covering the cost. Stuart Topliff said correct. Councilor Kochanek asked if this is legal because they had to go to the State to get a Statute when they went to get the tax abatement for the RHFD and the RHVAA. Stuart Topliff said this is legal and a different Statute will be used. Councilor Moriarty asked Stuart Topliff if he has a number with regards to what this is going to cost per year, which he knows will change. Stuart Topliff said this will cost \$52,650 based on the two hundred and thirty households on this program this year but the State grants an extension until August 1st so he won't know for a week if he has one. Councilor Moriarty confirmed that people are getting this twice if they will have the Tax Freeze and the proposed program. Stuart Topliff said one of the limitations on the Tax Freeze Program is that seniors are ineligible for that if they take a mortgage out or get a reverse mortgage.

Councilor Szeps made an amendment to have this Public Hearing held on August 17, 2015 at 6:30 p.m. in Council Chambers. The motion was seconded by Councilor Drapeau. The motion with the amendment was voted on and adopted unanimously by those present.

New Business

A. Discussion & Possible Action – Changes to All Night Parking Ordinance –
Article IV §230-14 and §230-16 (b)

Councilor Szeps made a motion to rescind this All Night Parking Ordinance and take the appropriate action for Article IV §230-14 and §230-16 (b). The motion was seconded by Councilor Moriarty.

Mayor Vassel asked Chief Custer to come to the podium. Councilor Moriarty has an issue with this because he asked why they are fixing this if it isn't broke. People are complaining about tickets but he said he has gotten them and has paid them. He asked Chief Custer how a car is considered as being abandoned on the side of a road. Chief Custer said that would be an unregistered car that is left on a public road. Councilor Moriarty asked about leaving a registered and insured car on the road. Chief Custer said that would be legally parked. Councilor Moriarty said all of the neighbors would then have to look at that out on the road and it can stay there as long as someone wants it to. There will be more vandalism if cars are on left on the roads as opposed to driveways. He referred to how Chief Garrahy had said that the RHFD hasn't had any issues yet and he said that is because the cars can't be parked on the roads. Councilor Moriarty thinks this will create more problems than the small ones they have now. He feels that if an Officer sees a car parked on the road between 2:00 a.m. and 5:00 p.m. then they can go look in it to see if someone is slouched in it or if someone is doing something. He thinks it is at the discretion of the Police as to whether they want to ticket someone or not. A lot of Towns have no parking all night. The driveways in some areas of Rocky Hill are bigger and they have more garage space. He respects Chief Custer's opinion, as well as Chief Garrahy's and anyone else's about this, but he thinks someone will be coming back to deal with this because he thinks more problems will be created. He referred to how Christa Mariner had stated that Rocky Hill is a suburb and not a city so they don't need cars all over their roads.

Councilor Kochanek said this Ordinance probably evolved a long time ago. He referred to the 2:00 a.m. to 5:00 a.m. in this. He thinks the time of 2:00 a.m. to 5:00 a.m. was put in because if there is a car there between those hours then that person who owns that car is going to be staying at that location all night. The reason these hours were put in is to catch the person who is keeping their car on the road all of the time. This would be for someone who wasn't having a party or having company over. The hours of 2:00 a.m. to 5:00 a.m. were instituted so that the people who have company over wouldn't be bothered. He also mentioned about one car being parked on one side of the road and then another car being parked opposite that on the other side. That is a problem if a road is not that wide. He thinks this should remain in effect because this was there for a reason. He agrees with what Councilor Moriarty and some other people had said about how they are just looking for something to happen down the road if this is changed, especially if people are parking on both sides of the road.

Councilor Casasanta asked Chief Custer if he knew how many people are repeat offenders on this Ordinance and she asked him if he had statistics that he could share this evening with the Town Council. Chief Custer said he would have to look into this. Councilor Casasanta asked him if he could please do that because she has concerns about rescinding this Ordinance. She thinks they have to be very careful looking at the revisiting of this or rescinding it because she said that people might get the message that if there are enough complaints about an Ordinance

that they will have a meeting and decide that it is a “feel good decision” to rescind it. They all should be aware of the Ordinances in Town and they should abide by them. Most of the driveways in Town are big enough to sustain the vehicles for the people who live there but she told people to please make an appropriate call if there is a reason to park a vehicle on the road so the Police will know this is on a list if they go by it. It concerns her that they are taking the rescinding of this into consideration because it is creating ill feelings between the Police and residents. She questioned what message they are sending about other Ordinances down the road if a law is creating ill feelings. She thinks they have to be very careful in looking at this and making sure they are addressing an issue that could be a safety one potentially. It surprises her that they are not taking cars being parked on both sides of the road seriously because of larger vehicles like fire trucks being able to not get through. She also concurs about fixing something if it isn’t broken and would like to see this expanded. There are younger populations in the community who are running around later at night and she doesn’t want to see a tragedy happening where an emergency vehicle can’t get through because they decided to pull this Ordinance back.

Councilor Moriarty also mentioned how the collection of trash will be hampered if vehicles can be parked on the road all of the time. A lot of things are being controlled the way this is now. It baffles his mind that they are even talking about this.

Councilor Drapeau asked Chief Custer if there are Ordinances and other laws available that will help enforce the challenges presented to him in a world where that law doesn’t exist. Chief Custer said there is nothing for a vehicle that is parked in front of a trash receptacle. Mayor Vassel asked if there is anything for this on streets that are too narrow or for blind spots. Chief Custer said there are State Statutes and Ordinances to help them enforce vehicles that are parked in a hazardous position or that are impeding the flow of traffic. Councilor Drapeau asked Chief Custer if he was saying that there would be other rules of law or Ordinances to follow if a vehicle is parked in front of a house if the All Night Ordinance is gone and that he wouldn’t be harmless completely. Chief Custer said correct. Councilor Casasanta said that wouldn’t be if a vehicle is legally parked and Councilor Moriarty said that would hamper everything. Councilor Drapeau said this sounds a little bit like it is a judgment call and Chief Custer said correct.

Mayor Vassel recommended that this item be tabled now seeing they had just received a lot of new information and they could revisit this at their next meeting.

Councilor Szeps withdrew his motion and Councilor Moriarty withdrew his second for that.

Councilor Szeps made a motion to table the Discussion and Possible Action - Changes to All Night Parking Ordinance – Article IV §230-14 and §230-16(b). The motion was seconded by Councilor Moriarty and adopted unanimously by those present.

B. Discussion & Possible Action – Charter Revision Commission Recommended Changes

Mayor Vassel told the Councilors that he believes they had all received the Charter two meetings ago and they all had read through it. He asked if there were any changes. Councilor Kochanek

referred to Section 207 (Minority Representation) of the Charter. He understands from reading this that no Political Party should nominate and/or elect or shall vote for more than the Mayor and four members of the Council at each regular election. This has been changed from five to four and he asked the Councilors what this means to them. Councilor Szeps said if the Charter revision passes then no more than four will be voted for. Councilor Kochanek asked if this will reduce the size of the Town Council and Councilor Szeps said it will reduce it from nine members to seven members. Councilor Kochanek asked why they would want to do this and Councilor Szeps asked why they wouldn't want to. Councilor Kochanek thinks the people of the Town will be represented more if the Town Council is broader. Councilor Szeps said there will be a representation of four for the Majority and three for the Minority instead of the six they have now for the Majority and the three for the Minority. Councilor Kochanek asked the Councilors if they don't think that the Town Council should be made up with as many different ideas and opinions as it can be. Mayor Vassel asked Councilor Kochanek if this is one of his changes. Councilor Kochanek said he would like this to remain at five.

Councilor Kochanek referred to Section 809 (Transfers of Appropriations). The Town Manager and the Town Council has put a budget process together to have the Town run. This approved budget process has been given to the Department Heads to operate with and then based on this, the funding can be changed around based on whatever seven months into this or later. This seems like something didn't have any credence to begin with if it can be changed seven months into the year. They have appropriated money from the Contingency Fund if an emergency came up. He thinks the three month period had been put there so if someone did their budget correctly then if there is some sort of issue that came up that they generally would have enough funding to get through nine months and then funds could be moved around in the last three months of a Fiscal Year. That had been at the Town Manager's request with the Town Council's approval. He would like to see this remaining as three months.

Councilor Moriarty said Section 207 won't reduce the size of the Town Council and he referred to Section 202 (Election of Officers) where it states there will be a Mayor and eight members. The size of the Minority members who are sitting at the Council table will be what will be changed. He told them to imagine if there are only seven Councilors doing all of the Subcommittee meetings. He doesn't think the size of the Town Council should shrink because the Town is getting bigger so he thinks this should stay at five. He also concurs with Councilor Kochanek with regards to the movement of the money. Councilor Moriarty said the Rocky Hill residents elect them to do a job and everything is for the betterment of the residents. The Councilors hope their decisions are the right ones. They put their hearts and souls into the budgets and he thinks this should stay at three months. He referred to them giving all of the power to the Town Manager because they don't know who that will be in five or ten years. He said he wasn't talking about Town Manager Scaife. Councilor Moriarty said they have to look at the future and how they are going to control things.

Councilor Drapeau told Councilor Moriarty and Councilor Kochanek that he heard everything they were saying and he appreciates it. Councilor Drapeau had read some of the Minutes of the Charter Revision Commission and he saw some of their meetings. That Commission that had been appointed to go through the Charter was a "best in breed". Every single change that the Commission asked for and that he thinks were voted on unanimously were reasoned and well

thought out decisions. He didn't have the answers to Councilor Kochanek's and Councilor Moriarty's issues but he believes that there are answers that the Commission had. Councilor Drapeau said he is willing to go with this.

Deputy Mayor Bell thinks they had some of the brightest and best on the Charter Revision Commission. She had attended their public hearing and thinks there was a lot of back and forth on some of the issues, which were properly and totally vetted. She thinks this is a document that she is comfortable in going with.

Councilor Szeps concurred with the comments and he thinks the Commission did a great job. The odds are that they probably wouldn't finish the task if they spent the next ten years trying to come up with one document that met all of their approval. He is supportive of asking the Commission to continue their task until this document is completed.

Councilor Casasanta said the Commission did a wonderful job in going through this difficult document. This isn't the Town Council's document but it is the document of the Rocky Hill people who have an obligation to look through this and vote on it during the referendum. She thinks as this looks now that it is a fair document. This document brings them up to code on their statutory requirements and she will support the Commission's changes that had been made.

Town Manager Scaife referred to Section 207. That will change the mix between the Minority Party and the Majority one but it won't alter the number of Councilors. That can be validated by them looking at Section 401 (Composition) which states that the Town Council shall consist of a Mayor and eight members. The Commission wants to have a Town Council that has more cooperation between the two Parties. He thinks that had been a unanimous vote. He then referred to Section 809. Commissioner Benoit had been in opposition to the change for that. Town Manager Scaife said this change will give no additional authority to the Town Manager but it will allow the Town Council to approve very specific moves in December so they can have a true up at their midyear point. The Contingency Account is the specific one that this is targeted to address. Councilor Kochanek asked if the ability to move funds at seven months is targeted at the Contingency Fund and not the individual department ones. Town Manager Scaife said it wouldn't restrict it and he gave some examples. He told the Town Council that it would be them making the change as a result of a detailed presentation and the Town Manager's recommendation of the Finance Director. Councilor Kochanek said this made more sense.

Councilor Kochanek said he would like Commissioner Benoit's recommendation of having the Charter reviewed every ten years or fifteen years put into the document. Councilor Kochanek said this would be instead of every twenty-five or thirty years. Councilor Moriarty said if this is worded as "may" and not "shall" then it won't be mandatory. Mayor Vassel agreed and said he was the one who had come forward to say that it was time after twenty plus years for this to be looked at.

Councilor Szeps thanked Town Manager Scaife for pointing out Section 401. Councilor Szeps said his initial suggestion to the Commission was to reduce the number of Councilors from nine to seven. He would like the Commission to revisit that to do that.

Councilor Moriarty referred to Section 207 again. He understands how they can only nominate a Mayor and four members but he asked why they can't leave this so that voters can still vote for six. Councilor Szeps said his initial intention was to reduce the number of Councilors and they would end up with four members for the Majority and three members for the Minority so that the Town Council is evened up. When there are six members for the Majority and three members for the Minority then the Town Council exists of a super Majority. His intention is to go from nine members to seven. He asked Town Manager Scaife to relay to the Commission exactly what he is trying to accomplish so that they can hopefully put in whatever word change is needed to do this.

Mayor Vasel asked if the Town Council's recommendation is to have this sent back to the Charter Revision Commission for another look and he asked Town Manager Scaife if the Town Council needed to vote on this. Town Manager Scaife said a vote is needed to refer this back to the Charter Revision Commission with recommendations. Finance Director Mehr said a motion had to be made that will include their modifications. He went over the modifications.

Councilor Kochanek made a motion to have the following three items (as modified) sent back to the Charter Revision Commission for their review. The motion was seconded by Councilor Szeps and adopted unanimously by those present.

Town Council Specific Modifications:

Chapter I - Section 207 – Minority Representation

Change back to "five" members of the Council instead of four.

Chapter IV - Section 401 – Composition

Reduce from nine members to seven members. (The Mayor and six members.)

Chapter XI - Section 1107 (NEW) – Review of the Town Charter

The Town Charter shall be looked at no later than fifteen (15) years from the Effective Date.

- C. Discussion & Possible Action – Public Safety Referendum – Request to schedule a Public Hearing on August 17, 2015 at 6:30 p.m. – Guy Scaife

Town Manager Scaife mentioned the time of 6:45 p.m. for this public hearing.

Deputy Mayor Bell made a motion to approve the following Resolution. The motion was seconded by Councilor Casasanta and adopted unanimously by those present.

Scheduling a Public Hearing – Public Safety Referendum

BE IT RESOLVED that the Rocky Hill Town Council schedules a public hearing at 6:45 PM on August 17, 2015 for a Public Safety Referendum. This Public Safety Referendum question would be on the November 3, 2015 ballot.

Mayor's Report

Mayor Vasel received a letter from Principal Nozik (West Hill School) thanking him for being active in the school and reminding him that he will be kissing a llama. Mayor Vasel will dress like a minion for all three lunch waves if the students at Stevens School read all of their books.

Mayor Vasel said the Rocky Hill 9-10 Softball All Star Team won the District 7 Championship with a 6-0 win over Newington. The Team will be continuing in Waterford this week for the Divisional Series. He asked everyone to please support Rocky Hill Little League.

Mayor Vasel congratulated Sasha Yazdzik for earning the Girl Scout Gold Medal Award by working to improve the Hole in the Wall Gang Camp in Ashford, CT. Mayor Vasel thanked the Girl Scouts for the invitation to this and he said it was a great ceremony.

Mayor Vasel thanked Mike Albano and the Rocky Hill High School Boys Lacrosse Team for earning the Division Championship for the first time in Rocky Hill history.

Mayor Vasel said he had attended the seniors' luncheon last Wednesday where he had recognized Don Pagnucco and Barbara Ortner for being the 2015 Volunteers of the Year.

Town Manager's Report

Town Manager Scaife said the two remaining electronic signboards in Town were up and active this afternoon. All three of these are all online. This gives them the capability to remotely control them with the same message and this will be easy communication with the public.

Town Manager Scaife said several of the Councilors had attended last week's seniors' luncheon and they heard again about inadequate parking for them so they are taking steps for that. There was a meeting internally and correspondence went out this afternoon to further limit the Staff parking close to the building. There will be a few other steps later this week. This will also continue being monitored. Town Manager Scaife reminded everyone about the building of the impound lot that will be adjacent to the RHPD in September or early October and seventeen extra parking spots will be picked up with that. There are a couple of other options on the table if additional changes need to be made.

Town Manager Scaife said there is a growing problem with ATV damage and the illegal use of them at Quarry Park and Dividend Park. An enforcement plan, with a fine of \$5,000 for anyone caught, is being developed and Cromwell's services will be engaged as well. The small minority of people riding are doing damage to the trails. He encouraged the public who is doing this to stop or they will pay the consequences.

Councilor Moriarty said the State had come last year to talk about doing the Main Street Bridge and he asked if there has been any communication with the Town as to when this will happen. Main Street will be shut down so he asked if there is a plan for the RHFD and RHPD. Mayor Vasel said the water main has to get moved first. Emergency services will be rerouted through Dividend Road, etc. when this project is going to happen. Town Manager Scaife said official

notification has been received but he doesn't recall the date. Councilor Moriarty thinks this needs to be passed on to the Emergency Services so they can plan for this accordingly.

Adjournment

Councilor Szeps made a motion to adjourn the meeting. The motion was seconded by Deputy Mayor Bell and adopted unanimously by those present.

As there was no further discussion, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Jo-Anne Booth